

Message Text

CONFIDENTIAL

PAGE 01 STATE 160330

63

ORIGIN ARA-20

INFO OCT-01 ADP-00 L-03 IO-13 COA-02 EB-11 H-03 COME-00

INT-08 OMB-01 TRSE-00 CG-00 CIAE-00 DODE-00 INR-10

NSAE-00 PA-03 RSC-01 PRS-01 USIE-00 INRE-00 SSO-00

/077 R

DRAFTED BY ARA/LA/EP:MRRFRECHETTE:EFM

8/13/73:22196

APPROVED BY ARA:JBKUBISCH

ARA/LA/EP:SMPRINGLE

S/FW:WVANCAMPEN (INFO)

L/C:RHENDERSON (INFO)

L/ARA:DGANTZ (INFO)

----- 077369

O 132325Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY LIMA IMMEDIATE

INFO AMEMBASSY QUITO IMMEDIATE

AMCONSUL GUAYAQUIL IMMEDIATE

USMISSION GENEVA IMMEDIATE

C O N F I D E N T I A L STATE 160330

E.O. 11652: GDS

TAGS: EFIS, PE

SUBJ: NOTIFICATION OF REIMBURSEMENTS UNDER FISHERMEN'S
PROTECTIVE ACT - PERU

REF: STATE 157984

GENEVA FOR AMB.MCKERNAN

1. PERUVIAN MINISTER COUNSELOR ROCA ACCOMPANIED BY
EMBASSY LOS OFFICER MAURTUA CALLED ON MR. KUBISCH AT
11:15 A.M., AUGUST 13. EP COUNTRY DIRECTOR PRINGLE AND
PERU DESK OFFICER FRECHETTE ALSO PRESENT.

2. MR. KUBISCH BEGAN BY THANKING ROCA FOR COMING TO
STATE DEPARTMENT IN CONNECTION WITH THIS MATTER. HE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 160330

RECALLED SECRETARY'S TRIP TO LIMA IN WHICH BOTH HE AND

SECRETARY HAD HAD OCCASION TO MEET WITH VARIOUS MEMBERS OF PERUVIAN MILITARY GOVERNMENT AND TO MAKE KNOWN TO THEM BOTH PRESIDENT NIXON'S AND SECRETARY ROGERS' STRONG DESIRE TO IMPROVE RELATIONS BETWEEN OUR TWO COUNTRIES ON A VARIETY OF FRONTS. ONE OF THOSE AREAS IN WHICH BOTH WE AND THE PERUVIANS DESIRED AN IMPROVEMENT IN RELATIONS WAS THAT COVERED BY MR. GREENE'S MISSION TO PERU WHICH HAD BEEN ANNOUNCED JOINTLY BY BOTH GOVERNMENTS ON AUGUST 9. HE WAS PLEASED HE SAID THAT BOTH SIDES CLEARLY WISHED TO WORK TOWARD RESOLVING THEIR DIFFERENCES IN A NUMBER OF AREAS AND THUS IMPROVING THEIR BILATERAL RELATIONS. MR. KUBISCH CAREFULLY EXPLAINED PROVISIONS OF FISHERMEN'S PROTECTIVE ACT AS OUTLINED PARA ONE REFTEL. HE THEN READ THE AIDE MEMOIRE TO THE PERUVIANS AND MADE POINTS (A) THROUGH (G) IN REFTEL STRESSING SEVERAL TIMES THAT NOTIFICATION WAS NOT RPT NOT A SANCTION, THAT THE US WANTED NO RPT NO PUBLICITY, AND THAT US DID NOT RPT NOT WANT THIS NOTIFICATION TO ADVERSELY AFFECT ANY OF OUR INITIATIVES TO RESOLVE OUR DIFFERENCES WITH PERU AND IMPROVE RELATIONS. FINALLY, MR. KUBISCH OFFERED AIDE MEMOIRE AND ATTACHED LIST TO PERUVIAN MINISTER COUNSELOR ROCA.

3. ROCA REPLIED THAT HE WAS AWARE OF OUR INITIATIVES AND HAD HIGH HOPES THAT OUR JOINT EFFORTS WOULD IMPROVE OUR BILATERAL RELATIONS. HE NOTED THAT TIMING OF NOTIFICATION WAS VERY BAD COMING JUST FOUR DAYS AFTER BOTH GOVERNMENTS HAD ANNOUNCED THE INVESTMENT CONVERSATIONS. ALSO HE MADE POINT THAT PERUVIAN GOVERNMENT UNDERSTANDS DIFFERENCES BETWEEN EXECUTIVE ATTITUDES AND CONGRESSIONAL AMENDMENTS. PERUVIANS RECOGNIZE MR. KUBISCH ONLY COMPLYING WITH REQUIREMENT OF US LAW. PERU HAS NO COMMENT WHATSOEVER WITH RESPECT TO US LEGISLATION AS IT AFFECTS INTERNAL MATTERS IN US. HOWEVER, PERU DOES HAVE A VIEW WITH RESPECT TO RESTRICTIVE LEGISLATION CONNECTED WITH THE FISHERIES DISPUTE AS IT AFFECTS PERU AND THAT POINT OF VIEW WELL KNOWN TO USG. HE SAID HE HAD DISCUSSED MATTER WITH AMBASSADOR BERCKEMEYER (WHO IS IN SAN FRANCISCO) AND PERUVIAN EMBASSY PREFERS THAT NOTIFICATION REMAIN ORAL. ROCA ADDED THAT HE TOOK CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 160330

CAREFUL NOTE THAT US WAS ONLY COMPLYING WITH INTERNAL US LAW AND DID NOT WISH ANY PUBLICITY IN CONNECTION WITH NOTIFICATION. HE SAID HE WOULD RECOMMEND STRONGLY TO HIS GOVERNMENT THAT IN VIEW OF FOREGOING IT ALSO AVOID ANY REACTION OR PUBLICITY. HOWEVER HE COULD NOT GUARANTEE THAT CERTAIN MEMBERS OF HIS GOVERNMENT WOULD NOT REACT NEGATIVELY.

4. MR. KUBISCH THANKED ROCA FOR HIS VIEWS AND SAID THAT, IN HIS OPINION, NOTIFICATION COULD BE INTERPRETED AS AN EXAMPLE OF ORDINARY AND NORMAL DIPLOMATIC INTER-COURSE. US WAS SIMPLY INFORMING THE PERUVIAN GOVERNMENT THAT USG, IN COMPLIANCE WITH US LAW, HAS MADE PAYMENTS TO US CITIZENS. THERE IS NO SANCTION INVOLVED AND HE HOPED THEREFORE THAT PERUVIAN GOVERNMENT WOULD TAKE THE SAME APPROACH AND NOT REACT NEGATIVELY TO NOTIFICATION. MR. KUBISCH SAID THAT FISHERIES DISPUTE IS DIFFICULT BUT THAT IT WILL NOT "GO AWAY" FOR EITHER GOVERNMENT AND THAT US HOPES WE CAN RESOLVE THIS PROBLEM OVER TIME EVEN AS WE ARE SEEKING TO RESOLVE OTHER PROBLEMS WITH PERU. MR. KUBISCH STATED THAT, IF ROCA SHOULD INFORM HIS GOVERNMENT OF THIS EXCHANGE, HE WOULD APPRECIATE IT IF ROCA WOULD TRANSMIT HIS BEST PERSONAL REGARDS TO FOREIGN MINISTER DE LA FLOR AND OTHER OFFICIALS WHOM HE HAD THE PLEASURE OF MEETING WHILE IN LIMA. ROCA REPLIED THAT HE WOULD INFORM HIS GOVERNMENT OF CONVERSATION AND WOULD BE PLEASED PASS ON MR. KUBISCH'S GREETINGS ADDING THAT FOREIGN MINISTRY SECRETARY GENERAL GARCIA BEDOYA WOULD BE IN WASHINGTON IN EARLY SEPTEMBER FOR THE RESUMPTION OF THE OAS SPECIAL COMMITTEE MEETING. NO DOUBT GARCIA BEDOYA WOULD BE PLEASED TO RENEW HIS ACQUAINTANCE WITH MR. KUBISCH AND DISCUSS THIS MATTER. MR. KUBISCH SAID HE WOULD BE PLEASED RECEIVE GARCIA BEDOYA AND DISCUSS THIS OR ANY OTHER MATTER WITH HIM.

5. MR. KUBISCH TOLD ROCA THAT IF HE HAD FURTHER QUESTIONS HE MIGHT CHOOSE TO DISCUSS THEM WITH COUNTRY DIRECTOR AND DESK OFFICER. ROCA ACCEPTED AND IN ENSUING CONVERSATION WITH LATTER TWO ROCA REQUESTED AND RECEIVED "ON A PERSONAL BASIS" A COPY BOTH OF AIDE CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 160330

MEMOIRE AND OF ATTACHED LIST. THEREFORE, DESPITE FACT ROCA DECLINED ACCEPT ORIGINAL OF AIDE MEMOIRE, HE READ IT AS WELL AS ATTACHED LIST IN PRESENCE OF COUNTRY DIRECTOR AND DESK OFFICER AND ALSO TOOK COPY OF EACH WITH HIM. ROGERS

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 13 AUG 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE160330
Document Source: CORE
Document Unique ID: 00
Drafter: MRRFRECHETTE:EFM
Enclosure: n/a
Executive Order: GS KUBISCH
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730840/aaaabdks.tel
Line Count: 159
Locator: TEXT ON-LINE
Office: ORIGIN ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: STATE 157984
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 18 JAN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <18-Jan-2002 by martinjw>; APPROVED <28 FEB 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: NOTIFICATION OF REIMBURSEMENTS UNDER FISHERMEN'S PROTECTIVE ACT - PERU
TAGS: EFIS, PE
To: LIMA
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005